

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF APPEALS

ATTORNEY DOCKET NO.
ENER-0001-UT1



IN RE APPLICATION OF
FLYNN, *et al.*

SERIAL NUMBER
10/637,608

FILED
AUGUST 11, 2003

FOR
HYDROGEN ODORANTS AND ODORANT SELECTION METHOD

GROUP ART UNIT
1754

EXAMINER
LANGE, WAYNE A.

To the Director of U.S. Patent and Trademark Office:

Applicant hereby appeals to the Board of Appeals from the decision dated February 17, 2005, of the Examiner finally rejecting claims 2 through 4, 7 through 11 and 45 through 53.

The Appeal fee of \$250.00 is:

- enclosed
- not required (fee paid in prior appeal in this application).
- requested to be charged to Deposit Account Number 10-0233-ENER-0001-UT1.
- payment by credit card. Form PTO-2038 is attached
- Small Entity Status has been established.
- A verified statement establishing small entity status is enclosed.

05/17/2005 SZEWDIE1 00000081 10637608
01 FC:2401 250.00 OP

A handwritten signature in black ink, appearing to read "Mark J. Guttag".

Mark J. Guttag
Registration Number 33,057

Jagtiani + Guttag
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591.2664

May 16, 2005



*TMW AF/SL
CC*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/637,608
Applicant : FLYNN, ET AL.
Filed : AUGUST 11, 2003
Title : HYDROGEN ODORANTS AND ODORANT SELECTION METHOD

Art Unit : 1754
Examiner : LANGEL, WAYNE A.
Atty Docket No. : ENER-0001-UT1

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

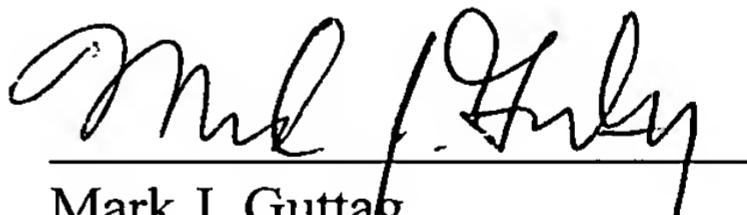
Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- Notice of Appeal
- Fee Transmittal and Authorization to Charge Deposit Account
- Credit Card Payment Form

- The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, including fees under 37 C.F.R. §§ 1.16 and 1.17 or credit any overpayment to **Deposit Account Number 10-0233-ENER-0001-UT1**.

Respectfully submitted,



Mark J. Guttag
Registration Number 33,057

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(703) 591-2664

May 16, 2005

Patent Fee Transmittal for FY 2005

Applicant Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT

\$250.00

Application Number	10/637,608
Filing Date	11-Aug-03
Named Inventor	FLYNN, et al.
Examiner Name	LANGEL, Wayne A.
Art Unit	1754
Attorney Docket No.	ENER-0001-UT1

MAY 16 2005
PTO-85
PATENT & TRADEMARK OFFICE

FEE CALCULATION

1. Filing Fees

Application Type	Description	Large Entity		Small Entity		Paid
		Code	(\$)	Code	(\$)	
Utility	Basic	1011	300	2011	150	\$ -
	Examination	1311	200	2311	100	\$ -
	Search	1111	500	2111	250	\$ -
Design	Basic	1012	200	2012	100	\$ -
	Examination	1312	130	2312	65	\$ -
	Search	1112	100	2112	50	\$ -
Plant	Basic	1013	200	2013	100	\$ -
	Examination	1313	160	2313	80	\$ -
	Search	1113	300	2113	150	\$ -
Reissue	Basic	1014	300	2014	150	\$ -
	Examination	1114	600	2114	300	\$ -
	Search	1314	500	2314	250	\$ -
Provisional	Basic	1005	200	2005	100	\$ -
National Stage	Basic	1631	300	2631	150	\$ -
	Examination	1633	200	2633	100	\$ -
	Search	1632	500	2632	250	\$ -

2. Extra Claim Fee

a. Claims as Filed

Total Claims	Extra Claims		Large Entity	Small Entity	Paid
	Code	(\$)	Code	(\$)	
0	- 20	=	0	x	1201 50 2201 25 \$ -
0	- 3	=	0	x	1202 200 2202 100 \$ -
			1203	360	2203 180 \$ -

b. Claims as Amended

Total Claims	After Amnt	Highest Paid	Present Extra	Large Entity	Small Entity	Paid
	Code	(\$)		Code	(\$)	
0	- 0	*	= 0	x	1201 50 2201 25 \$ -	
0	- 0	**	= 0	x	1202 200 2202 100 \$ -	
			1203	360	2203 180 \$ -	

First Presentation of Multiple Dependent
* Less than 20, enter 20 ** Less than 3, enter 3

3. Extra Page Fee

Total Pages	Extra Pages		Large Entity	Small Entity	Paid
	Code	(\$)	Code	(\$)	
0	- 100	= 0	x	1081 250 2081 125 \$ -	

Subtotal for Application Fees

1	\$ -	+	2	\$ -	+	3	\$ -	=	\$ -
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4. Additional Fees

Description	Large Entity		Small Entity		Description (cont.)	Large Entity	Small Entity	Paid
	Code	(\$)	Code	(\$)				
Extension for response first month	1251	120	2251	60	\$ -	Recording each Assignment	8021 40 8021 40 \$ -	
Extension for response second month	1252	450	2252	225	\$ -	Submission of IDS	1806 180 1806 180 \$ -	
Extension for response third month	1253	1,020	2253	510	\$ -	Request for Cont. Examination (RCE)	1801 790 2801 395 \$ -	
Extension for response fourth month	1254	1,590	2254	795	\$ -	Filing Submission After Final	1809 790 2809 395 \$ -	
Extension for response fifth month	1255	2,160	2255	1,080	\$ -	Surcharge - late filing fee or oath	1051 130 2051 65 \$ -	
Notice of Appeal	1401	500	2401	250	\$ 250	Surcharge - late provisional fee	1052 50 2052 25 \$ -	
Filing a Brief in Support of an Appeal	1402	500	2402	250	\$ -	Non-English Specification	1053 130 1053 130 \$ -	
Request for Oral hearing	1403	1,000	2403	500	\$ -	Processing Fee 37 CFR 1.17(q)	1807 50 1807 50 \$ -	
Petitions under 1.17(f)	1462	400	1462	400	\$ -	Request for Ex Parte Reexamination	1812 2,520 1812 2,520 \$ -	
Petitions under 1.17(g)	1463	200	1463	200	\$ -	Request Pub. of SIR prior to action	1804 920 1804 920 \$ -	
Petitions under 1.17(h)	1464	130	1464	130	\$ -	Request Pub. of SIR after action	1805 1,840 1805 1,840 \$ -	
Petition - public use proceeding	1451	1,510	1451	1,510	\$ -	Each Add. Invention Examined	1810 790 2810 395 \$ -	
Petition to Revive - Unavoidable	1452	500	2452	250	\$ -	Expedited Examination (Design)	1802 900 1802 900 \$ -	
Petition to Revive - Unintentional	1453	1,500	2453	750	\$ -	Unintentionally Delayed Priority Claim	1453 1,370 1453 1,370 \$ -	
Utility Issue Fee	1501	1,400	2501	700	\$ -	Certificate of Correction	1811 100 1811 100 \$ -	
Design Issue Fee	1502	800	2502	400	\$ -	Maintenance Fees 3.5 years	1551 900 2551 450 \$ -	
Plant Issue Fee	1503	1,100	2503	550	\$ -	Maintenance Fees 7.5 years	1552 2,300 2552 1,150 \$ -	
Reissue Issue Fee	1511	1,400	2511	700	\$ -	Maintenance Fees 11.5 years	1553 3,800 2553 1,900 \$ -	
Publication Fee	1504	300	1504	300	\$ -	Surcharge - Late Payment 6 mos.	1554 130 2554 65 \$ -	
Statutory Disclaimer	1814	130	2814	65	\$ -	Other fee _____	\$ -	

(cont)

Additional Fee Subtotal \$ 250

METHOD OF PAYMENT (Check all that apply)

Credit Card (Provide credit card information and authorization on PTO-2038)
 Deposit Account No. 10-0233-ENER-0001-UT1

For the above-identified deposit account, the Director is hereby authorized to:

To charge the above-identified fee.
 To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Submitted by:

Name	Mark J. Guttag	Reg. No.	33,057
Firm	Jagtiani + Guttag		
Address	10363-A Democracy Lane, Fairfax VA 22030		
Telephone	703.591.2664	Fax	703.591.5907

Mark J. Guttag

Signature

May 16, 2005

Date